Application No.	Applicant(s)
09/900.237	ALLEN, STEPHEN M.
Examiner	Art Unit
Phuong T. Bui	1638
ars on the cover sheet with th	orrespondence address plication. If not included n will be mailed in due course. THIS o withdrawal from issue at the initiative
der 35 U.S.C. § 119(a)-(d) or (f). been received. been received in Application No cuments have been received in this of this communication to file a reply ENT of this application. tted. Note the attached EXAMINER s reason(s) why the oath or declara t be submitted. on's Patent Drawing Review (PTO- c Amendment / Comment or in the C	national stage application from the complying with the requirements. S AMENDMENT or NOTICE OF ation is deficient. 948) attached Office action of the back) of
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5. ☐ Notice of Informal F 6. ☑ Interview Summary Paper No./Mail Da 8), 7. ☑ Examiner's Amendi	Patent Application (PTO-152) (PTO-413), te <u>9/3//04</u> .
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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kenneth Joung on September 3, 2004.

The application has been amended as follows:

In claim 23, line 4, "90%" was amended to -95%--.

Claim 26 has been canceled.

REASONS FOR ALLOWANCE

- 2. The following is an examiner's statement of reasons for allowance: Applicant's earliest filing date for SEQ ID NO:29 encoding SEQ ID NO:30 is July 6, 2001. The prior art teaches a sequence having 94.1% (WO2003000898 (N)), 93.9% (WO200179516 (O)), and 93.8% (WO200009706 (P)) sequence identity with Applicant's SEQ ID NO:30. A copy of the PCT documents will not be sent to Applicant, as the Office believes the attached sequence search results from database N_Geneseq will provide Applicant more useful percent sequence identity information. Because the prior art does not teach or fairly suggest a sequence having 95% sequence identity with Applicant's claimed sequence at the amino acid level, the claimed invention is free of the prior art.
- 3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong T. Bui whose telephone number is 571-272-0793. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amy Nelson can be reached on 571-272-0804. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phuong T. Bui Primary Examiner

Art Unit 1638

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ALIGNMENTS

Plant; bacterial infection; fungal infection; viral infection; rice; gene; ds. BP. ID ADR69779 Standard, DNA, 3264 (first entry) Rice gene, SEQ ID 3102 WO2003000898-A1 20-NOV-2003 Oryza sativa. 03-JAN-2003 ADA69779; RESULT 1 ADA69779

22-JUN-2001;)2001WO-IB001105. 22-JUN-2001; 2001WO-IB001105 (SYGN) SYNGENTA PARTICIPATIONS AG

Hou Y; T, Zou Goff SA, Ho e Z, Zhu T, Glazebrook J, Goff Whitham S, Xie Z, Cooper B, S, Tao Y, Chang H, Chen W, Co Katagiri F, Quan S, WPI; 2003-175290/17.

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Identifying at least one gene involved in plant resistance or response pathogenic infection for conferring resistance or tolerance to a plant

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qq	1321	agacaaagtccacccttcatttgttaagaccgtcgtgccatgaagagagaata
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qq	1381	AGAATTCAAAGTTAGGATAAATGGCCTTGTTGCTAAGGCACAGAAAGTCCCGGAGGA
δy	481	GlyTrpIleMetGlnAspGlyThrProTrpProGlyAsnAsnThrArgAspHisProGly 500
셤	1441	GATGGATCATGCAAGATGGCACCATGGCCAGGAAACAATACTAGGGACCATGCTGG
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qq	1501	TGATTCAGGTTTTCCTTGGTCACAGTGGTGGCCTTGATACCGAGGGTAATGAGCTTTCC
ζò	521	ArgLeuValTyrValSerArgGluLysArgProGlyPheGlnHisHisLysLysAlaGly 540
qq	1561	CCTGGTCTACGTATCTCGTGAGAAGCGTCCTGGGTTTCAGCACCACAAGAAGGCT
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qq	1621	CATGAATGCTCTTGTTCGTGTCTCTCAGCTGTGCTTACCAATGGACAGTACATGTTGAA
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hardening;
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disclosed are a recombinant expression cassette comprising the recombinant expression cassette comprising the recombinant expression cassette and a transgenic plant comprising the recombinant expression cassette and a transgenic plant comprising the recombinant expression cassette and a transgenic plant comprising the recombinant expression cassette and a transgenic plant comprising the recombinant expression cassette. The nucleic acid is useful in the improvement of stalk quality for improved stand or slage, and in the increased concentration of cellulose in the pericarp, hardening the cass also be used as probes or amplification primers in the detection, quantification or isolation of gene transcripts, as probes in detecting deficiencies in the level of mRNA, for detecting gene mutations or changes of allelic variants, for monitoring up regulation of expression or changes in enzyme activity in screening assays, for site directed mutagenesis, and in sense or antisense suppression of one or more genes in a host cell, tissue or plant. The polypeptides may be used in assays for erzyme agonists or antagonists, and as immunogen or antigen to obtain antibodies specifically immunoreactive with the protein. The present sequence (cesA-3) and Cqrael9 (cesA-9). Also Cdpgs45 proteins from corn,

Sequence 3799 BP; 925 A; 931 C; 995 G; 944 T; 0 U; 4 Other;

<pre>gnment Scores: d. No.:</pre>	09-900-237A-30 (1-1080) x AAS16458 (1-3799)	1 MetAspGlyAspAlaAspAlaLeuLysSerGlyArgHisGlyAlaGlyAspValCysGln 20	238 ATGGAGGCGACGCGGACGTGAAGTCGGGAAGCCCGGGGGAGGCAAGGCAAGTGTGCCAA 297	21 IleCysAlaAspGlyLeuGlyThrThrLeuAspGlyAspValPheThrAlaCysAspVal 40	298 ATCTGCGGCGATGGCGTGGGCACTACGGCGAAGGAGACGTCTTCACCGCCTGCGACGTC 357	41 CysArgPheProValCysArgProCysTyrGluHisGluArgLysGluGlyThrGlnAla 60	358 TGCGGGTTCCCGGTGTGCCGCCCTTACGAGTACGAGCGGAAGGACGGCAAGGACAACGAGCG 417	61 CysLeuGlnCysLysTyrLysArgHisArgGlySerProAlalleArgGlyGlu 80	418 TGCCCCCAGTGCAAAAACAAGTACAAGGGCCACAAGGGGGGAGTCCCAGCGATCCGAGGGGAG 477	81 GluGlyAspAspThrAspAlaAspAspGlySerAspPheAsnTyrProAlaSerGlyThr 100	478 GAAGGAGACGATACTGATGCCGATGATGCTAGCGACTTCAACTACCCTGCATCTGGGAAT 537	101 GluAspGlnLysGlnLyslleAlaAspArgMetArgSerTrpArgMetAsnThrGlyGly 120	538 GACGACCAGAAGCAGAAGAITGCIGACAGGAIGCGCAGGAGGGAGGATGCTGGGGGC 597	121 SerGlyAsnValGlyHisProLysTyrAspSerGlyGluIleGlyLeuSerLysTyrAsp 140	598 AGCGGGGATGTTGGCCGCCCCAAGTATGACAGTGAGATCGGGCTTACCAAGTACGAC 657	141 SerGlyGlulleProArgGlyTyrValProSerValThrAsnSerGlnMetSerGlyGlu 160	658 AGTGGTGAGATCCCTCGGGGATACATCCCGTCAGTCACTAACAGCCAGATTTCGGGAGAA 717	161 IleProGlyAlaSerProAspHisHisMetMetSerProThrGlyAsnIleSerArgArg 180	718 ATCCCTGGTGCTTCCCCTGACCATCATATGATGTCTCCTACTGGGAACATTGGCAGGCGC 777	181 AlaProPheProTyrValAsnHisSerProAsnProSerArgGluPheSerGlySerIle 200
Alignme Pred. N Score: Percent Best Lo Query M	- 1	ζ	qq	ζ	qq	δ	QD	ò	qq	δχ	qq	δλ	DÞ	ογ	Db	δ	Db	ογ	DÞ	δλ

GlyAsnvalalaTrpLysGluArgValAspGlyTrpLysMetLysGlnAspLysGlyAla 220

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Db	838	GGGAATGTTGCCTGGAAAGAGAGGTTGATGGCTGGAAAATGAAGCAGGACAAGGGAACA 897
ογ	221	IleProMetThrAsnGlyThrSerIleAlaProSerGluGlyArgAlaAlaThrAspIle 240
Db	8 9 8	ATTCCCATGACGAATGGCACAAGCATTGCTCCTCTGAGGGCCGGGGGTGTTGGTGATATT 957
δ.	241	AspAlaSerThrGluTyrAsnMetGluAspAlaLeuLeuAsnAspGluThrArgGlnPro 260
qq	928	GATECATCAACTGATAACAACATGGAAGATGCCTTAATTAAACGATGAAACTCGCCAGCCT 1017
ò	261	LeuSerArglysValProlleAlaSerSerLysIleAsnProTyrArgMetValIleVal 280
D p	1018	CTATCTAGGAAAGTTCCACTTCCTTCCTCCAGAAAATCCATACAGGATGGTCATTGTG 1077
λŏ	281	LeudrgLeuValValLeuSerllePheleuHisTyrdrgLeuThrAsnProValArgAsn 300
Db	1078	CTACGATTGATTGATCTACAGCATCTTCTTGCACTACCGGGATCCACAAATCCTGTGCGTAAT 1137
ö	301	AlaTyrProLeuTrpLeuLeuSerValileCysGluileTrpPheAlaLeuSerTrpile 320
qq	1138	GCATACCCACTGTGGCTTCTATCTGTTATATGTGAGATCTGGTTTTGCTCTTTCCTGGATA 1197
ò	321	LeuaspGlnPheProLysTrpPheProIleasnArgGluThrTyrLeuaspArgLeuala 340
QQ Q	1198	TTGGATCAGTTTCCAAAGTGGTTTCCAATCAACCGCGAGACTTACCTTGATAGACTCGCA 1257
δλ	341	LeukrgTyrAspArgGluGlyGluProSerGlnLeuAlaAlaValAspIlePheValSer 360
QQ Q	1258	TTAAGGTATGACCGGGAAGGTGAGCCATCTCAGTTGGCTGCTGTTGACATTTTTGTCAGT 1317
Š	361	ThrValAspProLeuLysGluProProIleValThrAlaAsnThrValLeuSerIleLeu 380
qq	1318	ACTGTCGACCCAATGAAGGAGCCTCCTCTTGTCACTGCCAATACCGTGCTATCCATTCTC 1377
٥,	381	AlaValAspTyrProValAspLysValSerCysTyrValSerAspAspGlyAlaSerMet 400
qq	1378	GCTGTGGACTATCCTGTGGATAAGGTCTCTTGCTATGTATCTGATGATGAGGCTGCTATG 1437
ογ	401	LeuThrPheAspAlaLeuAlaGluThrSerGluPheAlaArgLysTrpValProPheVal 420
qq	1438	CIGACATTIGATGCACTAGCTGAGACTTCAGAGTTTGCTAGAAATGGGTGCCATTTGTT 1497
δγ	421	LyslysTyrAspIleGluProArgAlaProGluPheTyrPheCysGlnLysIleAspTyr 440
qq	1498	AGAAGTACAACATTGAACCTAGAGCTCCTGAATGGTACTTCTCCCAGAAAATTGATTAC 1557
QY	441	LeulysAspLysValGlnProSerPheValLysAspArgArgAlaMetLysArgGluTyr 460
Db	1558	TIGAAGGACAAAGIGCACCCTTCATTGTTAAAGACCGCCGGGCCATGAAGAGAGAATAT 1617
٥'n	461	GluGluPheLysIleArgIleAsnAlaLeuValSerLysAlaLeuLysValProGluGlu 480
Db	1618	GAAGAATTCAAAATTAGGGTAAATGGCCTTGTTGCTAAGGCACAAAAAGTCCCTGAGGAA 1677
٥٪	481	GlyTrpIleMetGlnAspGlyThrProTrpProGlyAsnAsnThrArgAspHisProGly 500
Db	1678	GGATGGATCATGCAAGATGGCACACCATGGCCAGGAAACAATACCAGGGACCATCCTGGA 1737
٥٪	501	MetlleGlnValPheLeuGlyHisSerGlyGlyLeuAspThrGluGlyAsnGluLeuPro 520
Db	1738	ATGATICAGGITITCCTTGGTCACAGTGGTCTTGATACTGAGGGTAATGAGCTACCC 1797
٥٨	521	ArgLeuValTyrValSerArgGluLysArgProGlyPheGlnHisHisLysLysAlaGly 540
qu	1798	CGTTTGGTCTATGTTTCTCGTGAAAACGTCCTGGATTCCAGCATCACAAGAAAGCTGGT 1857
٥y	541	AlaMetAsnAlaLeuValArgValSerAlaValLeuThrAsnGlyGlnTyrMetLeuAsn 560
Db	1858	GCCATGAATGCTCTTGTCCGCGTCTCAGCTGTCTTACCAATGGACAATACATGTTGAAT 1917
ζ	561	561 LeuAspCysAspHisTyrIleAsnAsnSerLysAlaValArgGluAlaMetCysPheLeu 580
qq	1918	CTTGATTGTGATCACTACAACAACAGTAAGGCTCTCAGGGAAGCTATGTGCTTCCTT 1977

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/product= "cellulose synthase"
/transl_except= (pos: 1800. .1802, aa: Xaa)
/note= "no termination codon given; Xaa is an unspecified
amino acid"
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                                                      ThrilevalilevaltrpAlavalLeuLeuAlaSerilePheSerLeuLeuTrpvalArg
                                                                                                 VallleValHisLeuTyrProPheLeuLysGlyLeuMetGlyArgGlnAsnArgThrPro
                                          AsnAspGluGluGlyAspPheAlaGluLeuTyrMetPheLysTrpThrThrLeuLeuIle
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GlnGlyLeuLeuLysValLeuAlaGlyIleAspThrAsnPheThrValThrSerLysAla
                 CAGGGCTCCTCAAGGTGCTTGCCGGCATCGACACCAACTTCACCGTCACCTCCAAGGCC
                                                                                    ProProThrThrIleLeuIlelleAsnMetValGlyValValAlaGlyThrSerTyrAla
                                                                                                                                                                                                                                                             ValAspProPheThrThrArgLeuAlaGlyProAsnIleGlnThrCysGlyIleAsnCys
                                                                                                                                                                                                                                                                          present sequence encodes a maize cellulose synthase polypeptide.
                                                                                                                                                                                                                                                                                                                                                                                                                   Maize; cellulose synthase; stalk quality; stand; silage; cellulose; transgenic plant; plant breeding marker; ss.
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                                                                                                                                                                                                                                                                                                                                                                                              a maize cellulose synthase,
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cellulose synthase can be used for the improvement of stalk quality for improved stand or silage. It also provides an increased concentration of cellulose in the periotarp, hardening the kernel and improving its handling ability. The sequences are used to produce transgenic plants and seeds expressing the cellulose synthase. The polymucleotide is used for modulating, preferably increasing, the level of the synthase in a plant of cell. The plants are preferably monocots. The polymucleotide is also used as a probe or primer in the detection quantitation or isolation of gene transcripts. The probes are useful in detecting deficiencies in the level of mRNA in screenings for desired transgenic plant, for detecting mutations in the gene, for monitoring uprequiation of expression or changes in enzyme activity in screening assays of compounds, for changes in enzyme activity in screening assays of compounds, for changes in plant breeding programs. The isolated nucleic acids of the present invention can also be used for recombinant expression of their encoded polypeptides or for use as immunogens in the preparation and/or screening of antibodies. The proteins can be employed in assays of immunogens or antigens to obtain antibodies specifically immunoreactive with a proper with a protein

Sequence 3746 BP; 861 A; 976 C; 1006 G; 902 T; 0 U; 1 Other;

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nment Scores:	Pred. No.:	core:	ent Similarit	Best Local Similarity:	Query Match:	DB:

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à :	0	GlyAsnValAlaTrpLysGluArgValAspGlyTrpLysMetLysGlnAspLysGlyAla 220
α ´	⊣	GGGAATGTTGCCTGGAAAGAGGGTTGATGGCTGGAAAATGAAGCAGGACAAGGGGACG 974
ે દ	0 0	_
3 (٠.	Aliccalsacsacacas de la contra del la contra della contra
දු දු	241 1035	AspAlaSerThrGuTyrAsnMerGluAspAlaLeuLeuAsnAspGluThrArg1nPro 260
ò	261	LeuSerArgLysValProlleAlaSerSerLysIleAsnProTyrArgMetVallleVal 28
Op Op	o.	
ò		LeuArgLeuValValLeuSerIlePheLeuHisTyrArgLeuThrAsnProValArgAsn 300
Dp	Ŋ	CIGCGATTGATTGTTCTAAGCATCTTCTTGCACTACCGTATCAAATCCTGTGCGCAAT 1214
ò		AlaTyrProLeuIrpLeuLeuSerVallleCysGluIleTrpPheAlaLeuSerTrpIle 320
qq	-	GCATACCCATTATGGCTTCTATCTGTTATATGTGAGATCTGGTTTGCTCTTTCGTGGGATA 1274
δ .	N	LeuAspGlnPheProLysTrpPheProlleAsnArgGluThrTyrLeuAspArgLeuAla 340
В		TIGGATCAGITCCCTAAGIGGTITTCCAATCAACCGGGAGACGIACCTIGAIAGGCTGGCA 1334
δ	341	LeuArgTyrAspArgGluGlyGluProSerGlnLeuAlaAlaValAspIlePheValSer 360
qq	m	TTAAGGTATGACGGGAAGGTGAGCCATCTCAGTTGGCTGCTGTTGACATTTCGTCAGT 1394
ò	361	ThrvalAspProLeubysGluProProlleValThrAlaAsnThrValLeuSerIleLeu 380
QQ	o,	ACAGTGGACCGAATGAAGGAGCCTCCTTGTCACTGCCAATACCGTGCTATCCATTCTT 1454
ò	œ	AlaValAspTyrProValAspLysValSerCysTyrValSerAspAspGlyAlaSerMet 400
Q)		GCTGTGGATTACCCTGTGGATAAGGTCTCTTGCTATGTATCTGATGATGGAGCTGCGATG 1514
ζŏ	0	LeuThrPheAspAlaLeuAlaGluThrSerGluPheAlaArgLysTrpValProPheVal 420
Op	-i	CTGACATTTGATGCACTAGCTGAGACTTTGCTAGAAAAAGGGTACCATTTGTT 1574
ò	421	LysLysTyrAspIleGluProArgAlaProGluPheTyrPheCysGlnLysIleAspTyr 440
qq		AAGAAGTACAACATTGAAGCCTAGAGCTCCTGAATGGTACTTCTCCCAGAAATTGATTAC 1634
8	4.	LeuLysAspLysValGlnProSerPheValLysAspArgArgAlaMetLysArgGluTyr 460
qq		TIGAAGGACAAAGIGCACCCTICATITGITAAAGACCGCCGGGCCATGAAGAGAGAATAT 1694
à i	· 6	
a		GAAGAATTCAAAGTTAGGGTAAATGGCCTTGTTGCTAAGGCCACAGAAAGTTCCTGAGGAA 1754
ò	481	GlyTrp1leMetGlnAspGlyThrProTrpProGlyAsnAsnThrArgAspHisProGly 500
Op		GGATGGATCATGCAAGATGGCACACCATGGCCAGGAAACAATACCMGGGACCATCCTGGA 1814
ò		MetileGlnValPheleuGlyHisSerGlyGlyLeuAspThrGluGlyAsnGluLeuPro 520
Dp	1815	ArGATTCAGGTTTTCCTTGGTCACAGTGGTGGCCTTGATACTGAGGGCAATGAGCTACCC 1874
ολ	521	ArgLeuValTyrValSerArgGluLysArgProGlyPheGlnHisHisLysLysAlaGly 540
qq		cgrtrggrcrargrrtccgrgaaaagcgrccrggarrccagcarcacaagaaagcrggr 1934
ò	541	AlaMetAsnAlaLeuValArgValSerAlaValLeuThrAsnGlyGlnTyrMetLeuAsn 560
рр		GCCATGAATGCTCTTCGTGTCTCAGCTGTGCTTACCAATGGACAATACATGTTGAAT 1994
ζ	561	LeuAspCysAspHisTyrIleAsnAsnSerLysAlaValArgGluAlaMetCysPheLeu 580